

Amendment No. 2 to SB2268

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 2268

House Bill No. 2134*

by deleting the effective date section and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 36-3-104(b), is amended by deleting the subsection and substituting instead the following:

(b) The application shall include a statement by each applicant that both parties freely consent to the marriage and neither party is under duress at the time of application.

SECTION 4. Tennessee Code Annotated, Section 36-3-105(a), is amended by deleting the subsection and substituting instead the following:

(a) It is unlawful for any county clerk or deputy clerk in this state to issue a marriage license to any person where:

(1) Either of the contracting parties is under sixteen (16) years of age; or

(2) One (1) of the contracting parties is at least sixteen (16) years of age but less than eighteen (18) years of age and the other contracting party is at least four (4) years older than the minor contracting party.

SECTION 5. Tennessee Code Annotated, Section 36-3-106, is amended by adding the following as new subsections:

() The parents, guardian, next of kin, other person having custody of the applicant, or duly authorized representative of a public or private agency having legal custody of the applicant shall join in the application either by personal appearance before the county clerk or deputy county clerk, or by submitting a sworn and notarized affidavit.

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() The consent of the applicant's parents, guardian, next of kin, other person having custody of the applicant, or duly authorized representative of a public or private agency having legal custody of the applicant is not required if the applicant is emancipated at the time of the application.

SECTION 6. Tennessee Code Annotated, Section 36-3-107, is amended by deleting the section in its entirety.

SECTION 7. Tennessee Code Annotated, Section 36-3-111, is amended by deleting the language "36-3-107" and substituting instead the language "36-3-106".

SECTION 8. Tennessee Code Annotated, Section 36-3-306, is amended by deleting the language "36-3-107" and substituting instead the language "36-3-106".

SECTION 9. Section 1 and Section 2 of this act shall take effect July 1, 2018, the public welfare requiring it. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it, and shall apply only to licenses issued for applications submitted on or after such date.